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Attorney Docket No.: 018563-006000US Client Reference No.: AT-00109

Commissioner for Patents

P.O. Box 1450

SEP 2 7 2004

Alexandria, VA 22313-1450 On September 23, 2004

TOWNSEND and TOWNSEND and CREW

JoAnn Evangelista

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

TIMOTHY N. JONES et al.

Application No.: 09/264,547

Filed: March 8, 1999

For: SUBDIVIDING A DIGITAL

**DENTITION MODEL** 

Examiner: WILSON, J.

Art Unit: 3732

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37

CFR §1.97 and §1.98

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Electronic copies of the references are enclosed on 1 CD-ROM disk.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

The references cited in the accompanying PTO/SB/08A and PTO/SB/08B, were identified by either or both parties in litigation between Align Technology, Inc., assignee of the above-referenced patent application, and Ormco Corporation in case no. SACV 03-16-GLT

TIMOTHY N. JONES et al. Application No.: 09/264,547

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(ANX) before the U.S. District Court, Central District of California, Southern Division, as being potentially relevant to the design, fabrication, and/or use of removable orthodontic appliances and/or to the use of computers or other automatic means for calculating final or intermediate tooth positions for orthodontic treatment.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that <u>no fee is required</u> for submission of this statement.

However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

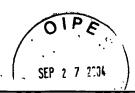
Respectfully submitted,

James M. Heslin Reg. No. 29,541

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JMH:tfw 60311998 v1



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INFORMATION DISCLOSURE

STATEMENT BY APPLICANT

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Sheet 1 of 10

	Complete if Known
Application Number	09/264,547
Filing Date	March 8, 1999
First Named Inventor	JONES, TIMOTHY N.
Art Unit	3732
Examiner Name	WILSON, J.
Attorney Docket Number	018563-006000US

			U.S. PATENT D	OCUMENTS+	
		Document Number			Daniel California Linea Million
Examiner Initials*	Cite No.1	Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
•	AA	2,467,432	04-19-1949	Kesling	
	AB	3,660,900	05-09-1972	Andrews	
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	во	5,184,306	02-02-1993	Erdman et al.	
Examiner Signature				Date Considered	

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 2 of 10

	Complete if Known
Application Number	09/264,547
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First Named Inventor	JONES, TIMOTHY N.
Art Unit .	3732
Examiner Name	WILSON, J.
Attorney Docket Number	018563-006000US

			U.S. PATENT D	OCUMENTS+	
Examiner Initials*	Cite No.1	Document Number  Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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	CJ	5,549,476	08-27-1996	Stern	•
-	СК	5,587,912	12-24-1996	Andersson et al.	
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	СМ	5,607,305	03-04-1997	Andersson et al.	
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	СО	5,655,653	08-12-1997	Chester	
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	cs	5,975,893	11-02-1999	Chishti et al.	

				<b>FOREIGN PA</b>	TENT DOCUM	ENTS		
Examiner Cite No.1	Foreign Patent Document			5.15.6.5.	Name of Patentee or	Pages, Columns, Lines, Where Relevant		
	No. <sup>1</sup>	Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>6</sup> (if known)	Publication Date MM-DD-YYYY	Applicant of Cited Document	Passages or Relevant Figures Appear	T <sup>6</sup>
	CT	EP	091,876	A1	10-19-1983	Duret		
	CU	EP -	299,490	A2	01-18-1989	Steinbichler et al.		
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	СХ	EP	541,500	A1	06-12-1998	Andersson et al.		

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 3 of 10

	Complete if Known
Application Number	09/264,547
Filing Date	March 8, 1999
First Named Inventor	JONES, TIMOTHY N.
Art Unit	3732
Examiner Name	WILSON, J.
Attorney Docket Number	018563-006000US

				<b>FOREIGN PA</b>	TENT DOCUME	ENTS		
Examiner Cit	Cite	Foreign Patent Document		Dublication Date	Name of Patentee or	Pages, Columns, Lines, Where Relevant		
Initials*	No.1	Publication Date MM-DD-YYYY  Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>6</sup> (# known)	Number <sup>4</sup> Kind Code <sup>8</sup> (if known) MM-DD	Applicant of Cited Document	Passages or Relevant Figures Appear	T⁵		
*	CY	EP	731,673	B1	09-18-1998	Andersson et al.		
	CZ	EP	774,933	B1	05-28-1997	Oden et al.		
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	DB	FR	2,369,828	A1	06-02-1978	Suyehiro		
	DC	wo	90/08,512	A1	08-09-1990	Lemcren		П
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	DE	WO ·	94/10,935	Ą1	05-26-1994	Andreiko et al.		
	DF	wo	98/44,865	A1	10-15-1998	Andersson		
	DG	wo	98/58,596	A1	12-30-1998	Chishti et al.		

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**INFORMATION DISCLOSURE** STATEMENT BY APPLICANT

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		NON PATENT LITERATURE DOCUMENTS  Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item	T -
Examiner Initials *	Cite No.1	(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Τ²
	DH	ALEXANDER et al., "The DigiGraph Work Station Part 2, Clinical Management," JCO (July 1990), pp. 402-407.	
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	. DP	BAUMRIND et al., "Mapping the Skull in 3-D, Reprinted from The Journal, California Dental Association, Vol. 48, No. 2 (1972 Fall Issue) 11 pages total.	
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	DS	BAUMRIND, "Integrated Three-Dimensional Craniofacial Mapping: Background, Principles, and Perspectives," Seminars in Orthodontics, Vol. 7, No. 4 (Dec. 2001), pp. 223-232.	
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	DV	BHATIA et al., "A Computer-Aided Design for Orthognathic Surgery," British Journal of Oral and Maxillofacial Surgery, Vol. 22 (1984), pp. 237-253.	
	DW	BIGGERSTAFF et al., "Computerized analysis of occlusion in the postcanine dentition," American Journal of Orthodontics, Vol. 61, No. 3 (Mar. 1972), pp. 245-254.	

Examiner Date Considered Signature

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**INFORMATION DISCLOSURE** STATEMENT BY APPLICANT

Application Number 09/264,547 Filing Date March 8, 1999 First Named Inventor JONES, TIMOTHY N. Art Unit 3732 Examiner Name WILSON, J.

Complete if Known

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		Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item		
Examiner Initials *	Cite No. <sup>1</sup>	(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T	
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	EA '	BURSTONE (interview), "Dr. Charles J. Burstone on The Uses of the Computer in Orthodontic Practice (Parts1 and 2)," <i>Journal of Clinical Orthodontics</i> , (Part 1) Vol. 8, No. 7, July 1979; (Part 2) Vol. 8, No. 8 pp. 539-551, Aug. 1979.		
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-	EJ	CURETON, "Correcting malaligned mandibular incisors with removable retainers" <i>J. Clin. Orthod.</i> , 30:390-395, 1996.		
	EK	CURRY et al., "Integrated Three-Dimensional Craniofacial Mapping at the Craniofacial Research Instrumentation Laboratory/University of the Pacific," Seminars in Orthodontics, Vol. 7, No. 4 (Dec. 2001), pp. 258-265.		
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	EM	DCS Dental AG, "The CAD/CAM 'DCS Titan System' for Production of Crowns/Bridges" DSC Production AG, Jan. 1992, pp. 1-7.	_	
Examiner Signature		Date Considered	_	

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Sheet

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		NON PATENT LITERATURE DOCUMENTS	
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	EO	Dental Institute University of Zurich Switzerland, Program for International Symposium on Computer Restorations: State of the Art of the CEREC-Method, May 1991, 3 pages total.	
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	EU	ECONOMIDES, "The Microcomputer in the Orthodontic Office," JCO, (Nov. 1979), pp. 767-772.	
	ΈV	ELSASSER, "Some observations on the history and uses of the Kesling positioner" Am. J. Orthod., 36:368-374, 1950.	
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	EX	FELTON et al. "A computerized analysis of the shape and stability of mandibular arch form," Am. Journal of Orthodontics and Dentofacial Orthopedics, Vol. 92, No. 6 (Dec. 1987), pp. 478-483.	
	EY	FRIEDE et al., "Accuracy of Cephalometric Prediction in Orthognathic Surgery, "Abstract of Papers, Journal of Dental Research, Vol. 70 (1987), pp. 754-760.	
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	FC	HEAVEN et al., "Computer-based Image Analysis of Artificial Root Surface Caries," "Automated Identification of Landmarks in Cephalometric Radiographs," Abstracts of Papers, <i>Journal of Dental Research</i> , Vol. 67, March 9-13, 1988, 2 pages total.	

Examiner	•	Date	
Signature		Considered	
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Substitute for form 1449B/PTO ATENT & TR INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Complete if Known Application Number 09/264,547 Filing Date March 8, 1999 JONES, TIMOTHY N. First Named Inventor Art Unit 3732 Examiner Name WILSON, J. 018563-006000US

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	FD	HOFFMANN et al., "Role of Cephalometry for Planning of Jaw Orthopedics and Jaw Surgery Procedures," (Article Summary in English, article in German), <i>Informationen</i> , (March 1991), pp. 375-396.	
	FE	HUCKINS, "CAD-CAM Generated Mandibular Model Prototype from MRI Data," AAOMS 1999, p. 96.	
	FF	Inside the ADA, Journal Of The American Dental Assoc., Vol. 118 (March 1989) 9 pages total.	
,	FG	JCO Interviews, "Craig Andreiko , DDS, MS on the Elan and Orthos Systems", JCO, (Aug. 1994), pp. 459-468.	
	FH	JCO Interviews, "Dr. Homer W. Phillips on Computers in Orthodontic Practice, Part 2," JCO, (Dec. 1983), pp. 819-831.	
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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Substitute for form 1449B/PTO TENT & TRAD Complete if Known Application Number 09/264,547 INFORMATION DISCLOSURE Filing Date March 8, 1999 STATEMENT BY APPLICANT First Named Inventor JONES, TIMOTHY N. Art Unit 3732 (use as many sheets as necessary) Examiner Name WILSON, J. 018563-006000US Sheet 10 Attorney Docket Number

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	т:
	FT	MCNAMARA et al., Orthodontic and Orthopedic Treatment in the Mixed Dentition, Needham Press, January 1993. pp.347-353.	
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Examiner Name	WILSON, J.
Attorney Docket Number	018563-006000US

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